

ACCOUNTS

OF THE PROCEEDINGS

AGAINST

John Aylott,

AND

Richard Nelthorpe Esquires

AT THE

King's-Bench-Bar,

On the 27th. of October, 1685. Relating to their award of Death, upon their being Out-Lawed for High-Treason, in conspiring the Death of his late most Sacred Majesty, Charles the Second of Ever Blessed Memory: Together with their Behaviour, Confession, and Manner of Execution on the 30th. of October, in the year aforesaid: On which day, Richard Nelthorpe was executed on a Gibbet Erected at Greys-Inn-Gate in Holborn, and John Aylott on a Gibbet Erected at Chancery-Lane End in Fleet-street: Both Quartered as in Case of High-Treason.

SUCH are the horrid crimes of Treason and Murder, that by daily experience we see they seldom go unpunished even in this life. The Wise man gives wholesome advice when he fore-warns men to take heed they do not curse the King, altho' it be in their secret Chambers, lest the Fowles of the Air make discovery thereof: much more ought men to Tremble at the thoughts of any undertaking against the life of God's Vicegerent. John

It is a horrid murder for a private man to compass the Death of his Father; and much more horrid the Father of his Country, for altho' men may think to flee out of one Country into another, and secure themselves from the vengeance due to such crimes, yet Providence so orders it, that those very methods they take for their security, commonly brings them to Justice, as we have a fresh Example of the persons now brought thereto.

John Ayliff and Richard Neithorp Esq; members of the Elevation is against them and who were not Ignorant of the Law; yet having once violated the same, by joyning in the horrid Conspiracy against the life of the mercifulest of Kings, his late Majesty or ever blessed memory; his present Majesty, the utter subversion of the Government, &c. They were not content, by fleeing from Justice to live in contempt of the Law, but to employ that time God permitted for their Repentance, in the enterprize of treble Treasons against his most sacred Majesty that now is.

John Ayliff took his lot with the late Earl of Argyle setting up for one of the Rulers of the Scotch Commonwealth, and after the design was blasted, and he amongst others taken, the sence of his Guilt run him forthwith upon the Rock of Despair, by laying violent hands upon himself, and with a Pen-Knife or other Instrument which he carried about him he rips up his own belly as far as Nature would suffer him; but God in Mercy to his Soul, so ordered it, that he did not Dye thereof but after a long illness Recovered and was with others of those Traytors brought for England, and soon after committed to Newgate, where he remained Eight or Ten Weeks. Richard Neithorp a Person brought up to the Law, but leaving that Study engaged in the R. house confederate and with the said Ayliff being inscoainted by Out-Lawry of high Treason, was of those who came over with the late Duke of Monmouth and one of the principal Captains in that Western Rebellion, soon after the defeat of the Rebels, being taken and committed to some Goal in the West Country, one from thence brought to Newgate, where his Crimes had little better Effect / then the other in

Scotland / behaving himself for some time like a Person distract, and very impatient under the sufferings which hit. His son had brought up him.

On Monday the 26th. of October, 1685 Upon the motion of the King's Council, a *Habeas Corpus* was granted, to bring up these two Criminals to the King's Bench-Bench and Venerable, and being accordingly on Tuesday the 27th. Ditto, brought up by the Keeper of Newgate to the said Bench. The Lord Chief Justice Heralds, and the other Judges of that Court sitting on the Bench.

First, Mr. Ayliff was called to hold up his hand, and told that he had been Indicted by the Name of John Ayliff late of London Esq; for High-Treason in conspiring the Death of his late Majesty, the subversion of the Government &c. That he had therupon been Out-Lawry, and stood attainted of High-Treason, was therefore askt what he had to say why Judgment should not be awarded, for him to dye according to Law.

To which Mr. Ayliff at first replyed he had been out of the Land and did not know of it, at last said, that he had seen or heard only of a printed Tryal of Captain Walcot, wherein Mr. West had made some mention of him; but he desired to know what was sworn against him by the Witnesses.

Then the same Method being used to Mr. Neithorp, he answered very little, only said he had not conspired the Death of the King.

After that the Lord Chief Justice in an Excellent Speech, declaring that it was no hard case for Traytors to be Executed upon an Outlawry, and how inexcusable they of all men were, who had not only fled from Justice, deprived themselves of a Tryal, by standing in contempt of the Law, but ingaged since in other

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other Treafons and Rebellions; his Friends prays giving them divers Christian admonitions to improve the short time they had left for the good of their Immortal Souls.

In conclusion told them, that nothing remained for that Court but to award Judgment upon the Outlawries. And a Rule was made for their Execution on Fryday the 30th day of the said Moneth, as in Cases of High Treason.

Mr. Ayloff then desired he might have the liberty of his Friends coming to him, and the same being granted, provided it was in the prelence of a Keeper, they were remanded to Newgate.

On Thursday the 29th Ditto, one of his Majesties Council moved the Court of Kings Bench, that where as a Rule was made for the Execution of the said John Ayloff and Richard Nelthorp as the next day; for a more publique Example, one of them, viz. Ayloff might be Executed over against the Temple Gate in Fleet-street, and Nelthorp against Grays Inn in Holborun, to which Inns of Courts they did formerly belong when they Studied the Law; and the Court ordered it to be done accordingly.

Pursuant to which Rules of Court on Fryday the 30th Ditto about ten in the Forenoon, first Richard Nelthorp was drawn from Newgate on a Sled, to a Gibbet erected over against Grays Inn Gate; he had on a Black Sute, and two in Black Habit went by the Sled, viz. on each side one. After it followed an Elderly Person also in Mourning, he was but a short time at the Gibbet before Executed, he spoke to several that were near him with a seeming cheerfulness, Praying also with great

earnestness, and to appearance at this last moment of his life submitted with greater patience to the punishments which his unreasonable practices had brought upon him, then he did during his Imprisonment; very readily, addressing himself to undergo the Sentence which the Law had pronounced. He had on a Whlte Sattin Cap over a Linnen one, and himself helped to pull it down over his Face. Being turned off, he Hanged the usual time, and then was Quartered, &c.

John Ayloff, by some called Col. Ayloff, according to the Rule of Court made for his Execution, was delivered by the Keeper of Newgate, on the 30th. of October to the Sheriffs of London and Middlesex, between Ten and Eleven in the Morning; when being put into a Slead; he was conveyed through the Old-Bailey and Fleet-street to a Gibbet Erected between Chancery-Lane End, and one of the Temple Gates, where upon his arrival being in the Slead, he confessed that he was in the Rebellion raised by Argile in Scotland, and was Conscious of the late Conspiracie, that he suffered justly and deservedly, praying for the King, and desiring the Prayers of all people, but more especially of those that were spectators; after which and the like Expressions, he came out of the Slead, again, and desired God to bless all present, lifting up his hands and Eyes towards heaven, when looking upon the Gibbet he ascended, and in ascending, repeated his Prayers for the People, praying to God to keep them in the right way of Loyalty and Obedience, &c. and to preserve the Protestant Religion; being ascended, he prayed a while to himself, and turning at the request of the Executioner, his Back to the Ladder; he said that he was now willing to dye

(4) enclosed bus and sent to
hiding the Executioner turn him off
which was accordingly done, when
having hang'd about half an hour, he
was cut down and quarter'd accord-
ing to Sentence, and his Quarters to
be disposed of, at the pleasure of the
King.

This may be Printed, R. T. S.
October the 30th, 1685

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